

**CITY OF MIAMI BEACH**  
**Office of the City Manager**  
**Letter to Commission No. 201-2005**

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**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** July 29, 2005

**From:** Jorge M. Gonzalez  
City Manager

**Subject: CITY INTERACTIONS WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU)**

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The Service Employees International Union (SEIU) is a national labor organization with approximately 1.8 million members that has been making efforts to increase its membership in South Florida and in particular in the City of Miami Beach. SEIU has identified the City of Miami Beach as a key opportunity to increase their membership within the condominium worker environment in our City.

Part of the organization strategy of SEIU has been to conduct protest marches or demonstrations in proximity to non-unionized condominium dwellings. On Miami Beach most of the activity of SEIU has been adjacent to the Sunset Harbor condominiums on Sunset Harbor Drive (Purdy Avenue). A number of demonstrations/protest marches have been held at the Sunset Harbor condominiums with 15 to date requiring a response from Code Compliance. Demonstration/protest marches have also been held at 4925 and 5225 Collins Avenue and on the beach walk from 21<sup>st</sup> Street to 15<sup>th</sup> Street. The demonstrations/protest marches are still being conducted.

At each of the demonstrations/protest marches, SEIU has chosen to use signs, chanting/shouting and a variety of artificial noise makers to communicate their message.

In most of the demonstrations/protest marches, both the Police Department and the Code Compliance Department have had some advance notice and when possible have tried to work cooperatively with the members of SEIU to advise the Union of the appropriate right-of-way parameters. In all instances, the City's response has been to help assure the right of the Union to demonstrate/protest and communicate a message.

At all of the SEIU demonstrations/protest marches, noise as a result of shouting and use of bullhorns and artificial noise makers has been problematic to some degree. In initial activities when noise volumes became unnecessarily loud at the demonstrations/protest march site, SEIU members were generally cooperative and reduced the volume consistent with the City's parameters enforced as part of the Miami-Dade County Noise Ordinance 21-28. As time passed, the intensity of the noise at the SEIU events increased and the level of cooperation decreased. As a result, Code Compliance was left with no alternative but to issue violations of the Noise Ordinance to members of SEIU.

To date, thirty three (33) violations for noise have been issued to various SEIU members as a result of noise generated at one of their events.

Several meetings and conversations with SEIU representatives and their attorneys have been conducted during this entire process so as to avoid confrontation and to clearly establish the expectations of the City in addressing SEIU activity. In all cases, the City has stressed the desire to assure the ability of SEIU to demonstrate and/or protest. The City has also stressed that said demonstrations/protests must fall within the parameters of the Noise Ordinance and not constitute unnecessarily loud noise in the locale in which the event is being conducted.

JMG/BOB/sam  
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c: Robert C. Middaugh, Assistant City Manager  
Vivian Guzman, Director of Neighborhood Services  
James Mazer, Director of Code Compliance

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